

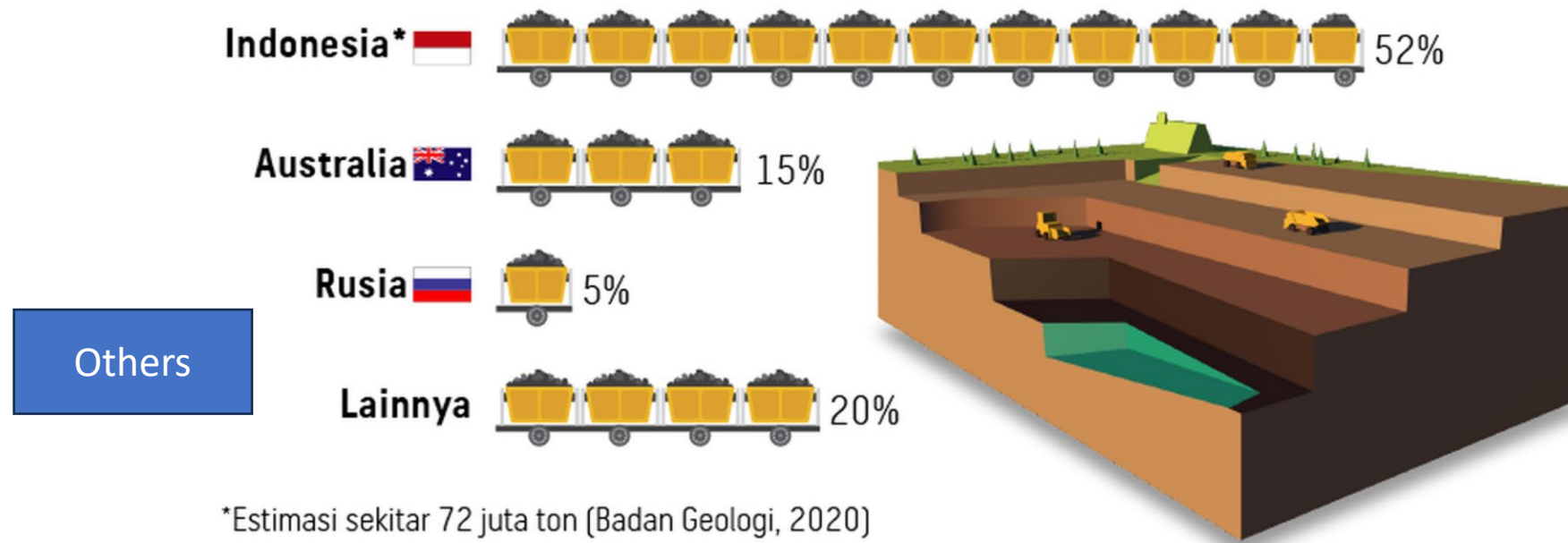
Promoting Human Rights Approach in the Energy Transition, Indonesia

Saurlin Pandapotan Siagian
Commissioner, NHRI, The Republic of Indonesia

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#Facts1

Indonesia - 1st world nickel reserves, 1st world palm oil producers



Others

*Estimasi sekitar 72 juta ton (Badan Geologi, 2020)

Sumber: Peluang Investasi Nikel Indonesia, Kementerian ESDM

#Facts2

- Energy projects reported mostly are in the area of local community and adat peoples; Rempang Ecocity, Riau Islands Province, the Morowali nickel industry, Central Sulawesi, Smelter project in Sanga-Sanga, East Kalimantan, to Nickel in Halmahera (2023)
- 2,275 cases of human rights violations in the category of structural conflicts related to agrarian and natural resources have been recorded in the last four years (Komnas HAM, 2024).
- **Positive:** in the last 10 years, there have been recognition of adat peoples and its territory in Indonesia, 250.971 Ha of adat / customary forests has been legalized by the Ministry of Environment and Forestry Decree (131 Decrees)

Early Findings from Policy to the fields

(Aceh, East Kalimantan, West Java, East Java, Central Sulawesi, and Papua)

Policy:

- ✓ Presidential Decree 112 of 2022 - the Acceleration of Renewable Energy Development
- ✓ Lack of HR approach
- ✓ Allow the extension of coal fired plants and Co – firing
- ✓ Focus on Large scale, neglect the small scale

Ground check:

- ✓ Energy Inequality
- ✓ Poor participation
- ✓ Allow the extension of coal fired plants and Co – firing
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Reccomendation #1

Human rights-based approach as a conceptual framework that is normatively based on human rights norms both national constitution/laws and international that has been ratified. The conceptual framework of development efforts is anchored in a system of rights corresponding to state obligation to Protect, Fulfil, and Respect the human rights;

1. The government needs to formulate comprehensive policy directions and regulations for the energy transition with a human rights perspective in the Official Medium and Long Term Government Development Plans (RPJMN and RPJPN)
2. The Government and the Legislative to ratify the Adat People Bill, and to continue and speed up the recognition of adat peoples and adat forests.
3. Ensure mechanisms for fulfilling the right to participate, the right to information, and the right to remedy of human rights violations resulting from renewable energy projects.
4. The government to strengthening social and environmental assessment to support the integration of human rights in energy sector policies, plans and programs by conducting upstream and downstream impact analysis, carrying out derivative impact analysis, and identifying rights holders who are at risk of being affected, especially vulnerable communities.

Reccomendation #2

1. The government encourages the implementation of human rights due diligence on business actors in the energy and electricity sector, and strengthens mechanisms to encourage community-based electricity supply
2. All parties need to prioritize dialogue and consultation with the participation of affected communities including indigenous communities, in which the results are made available in local languages, and disseminated in the affected areas.
3. All parties including the government and private sectors facilitate the development of gender mainstreaming indicators in the preparation of energy transition policies and programs to serve as guidance for relevant ministries and institutions
4. The government is maximizing domestic financial resources, human resources, policies, regulations, but also open opportunities for international cooperation, to achieve the 2060 net-zero emissions target consistent with human rights.

National Commission of Human Rights, The Republic of Indonesia (Komnas HAM)

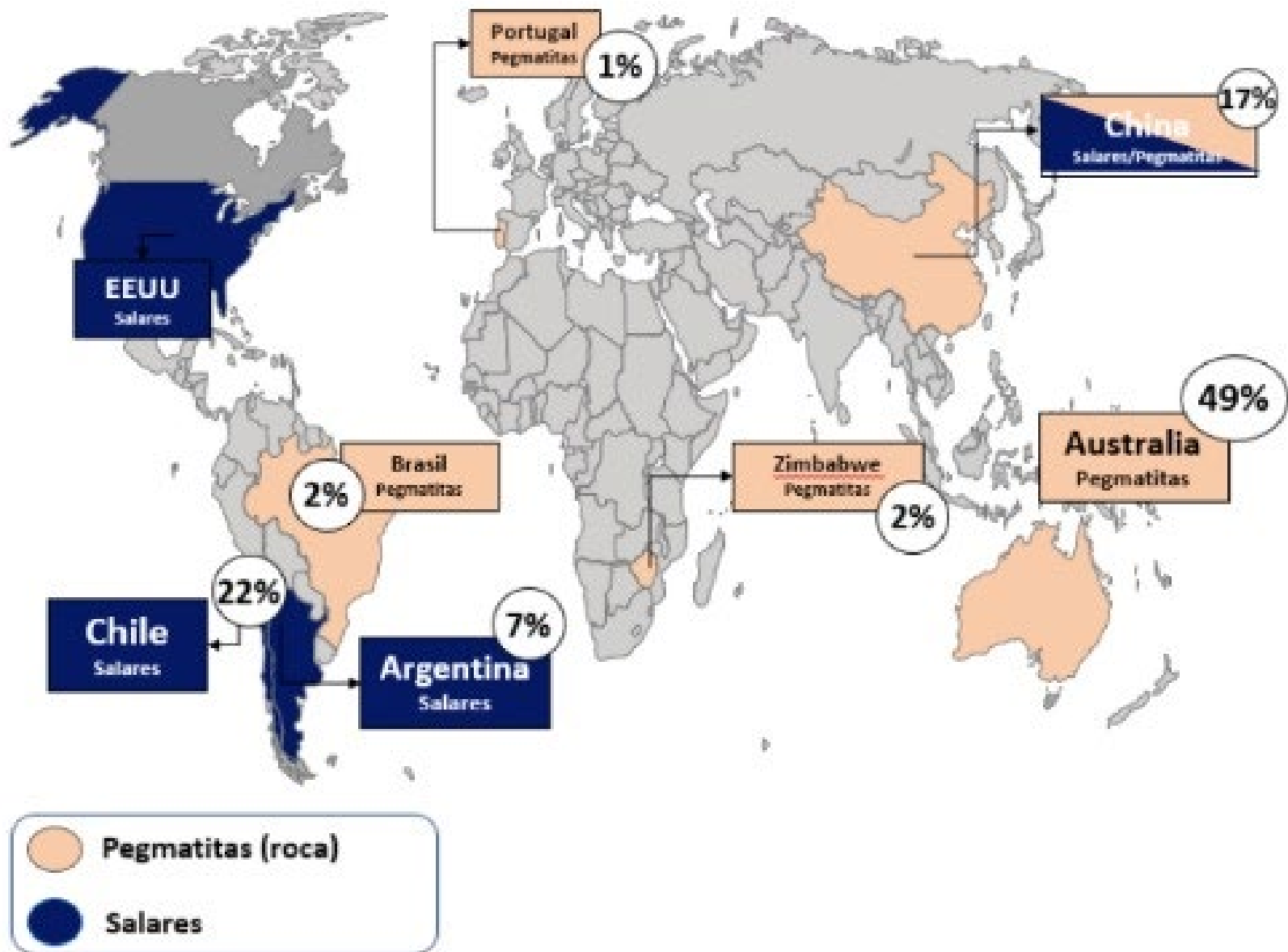
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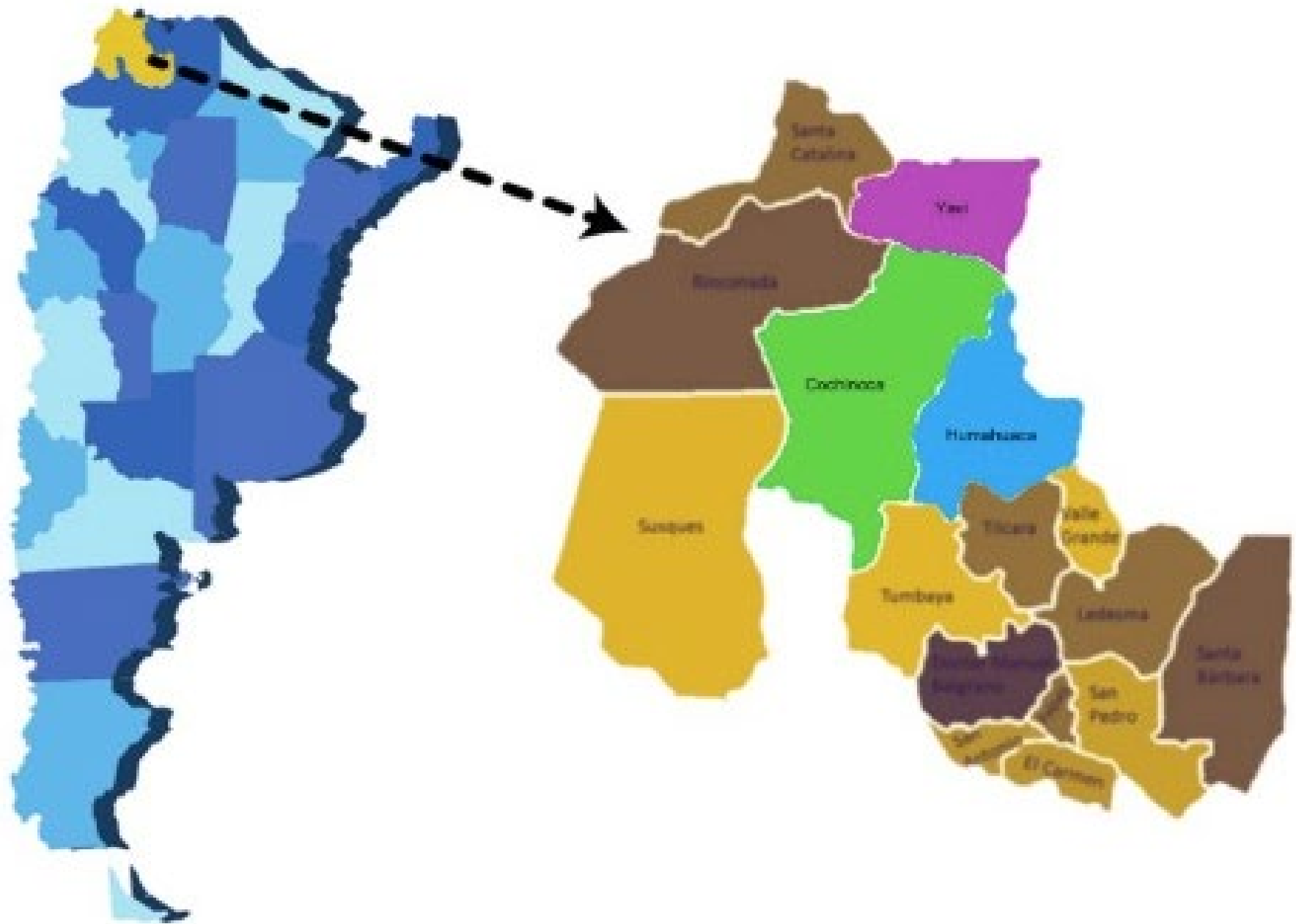
Thank You

KOMPAS



Gráfico 6: Producción mundial por países con sus explotaciones







Cuidemos el Agua para las Generaciones Futuras!
EL AGUA VALE MAS QUE EL LITIO
Comunidades Salinas Grandes y Laguna de Guaya Laya















...SINAFRONTES...
...PARA...
...VERDURAS Y ENIA...
...GAB...
...EST...

...SALIR PRESENTES...
...CHES...
...TERRITORIO

AGUA...
...M...
...LIT...
...G...
...E...

POR EL AGUA y LA VIDA

NO A LA MEGA MINERIA

i BASTA DE SAQUEO!



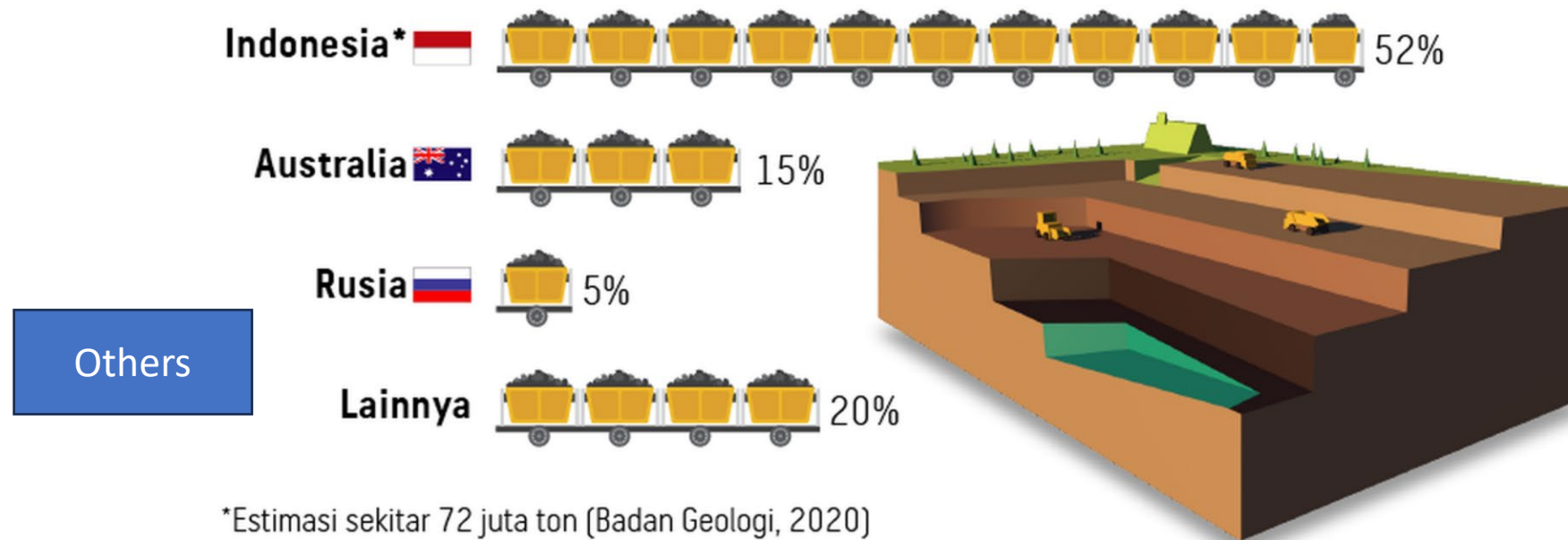
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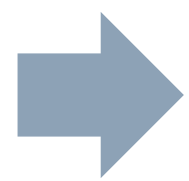
The double-edged sword of the energy transition

Session G17:
Ensuring that
the Greening
Economy is
Just for the
Land Holders

Dr. Jeremy Bourgoin



- In 2021 global energy transition investments hit a record of \$755 billion.
- By 2035, the International Energy Agency predicts that \$48 trillion will need to be invested to meet global energy needs.

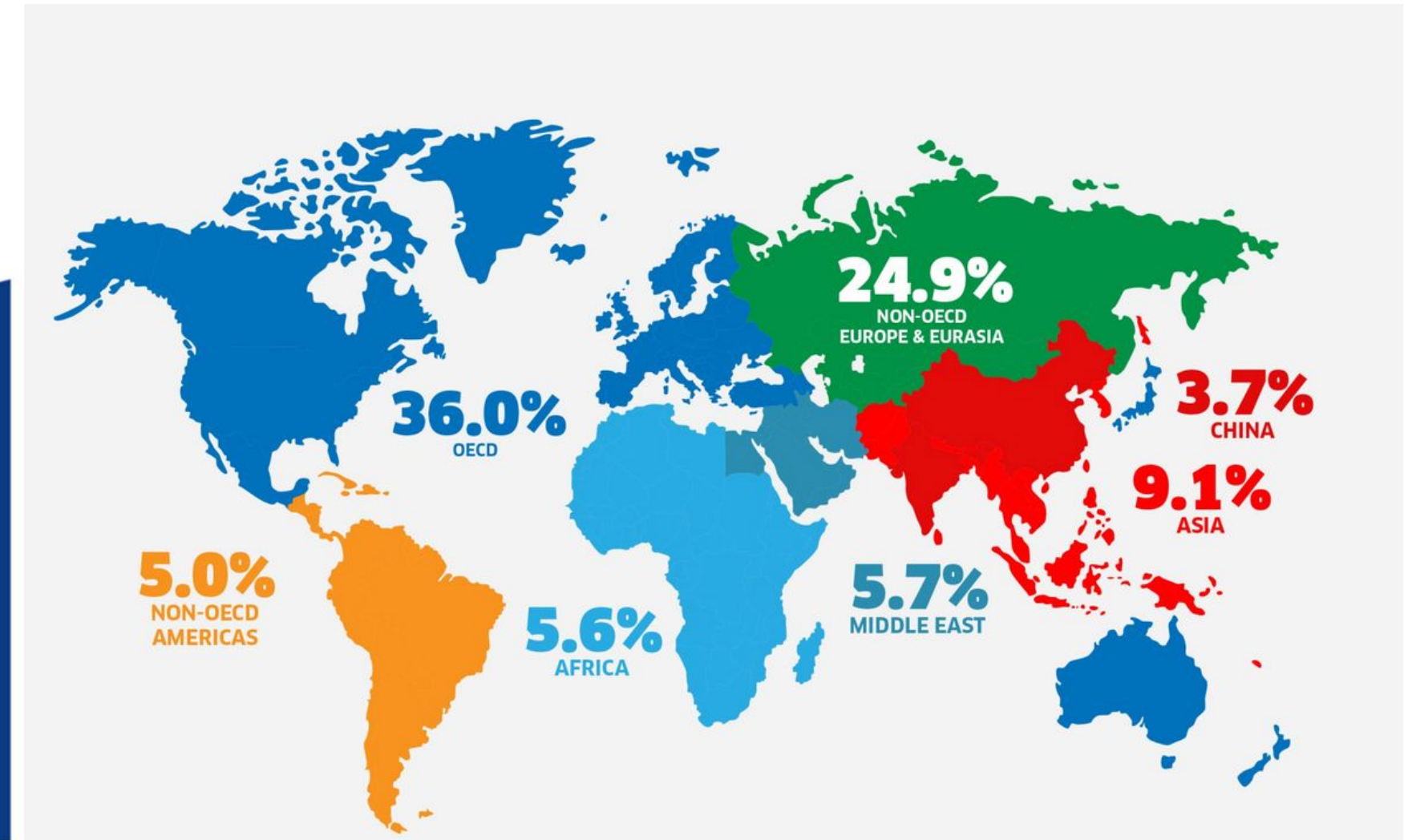
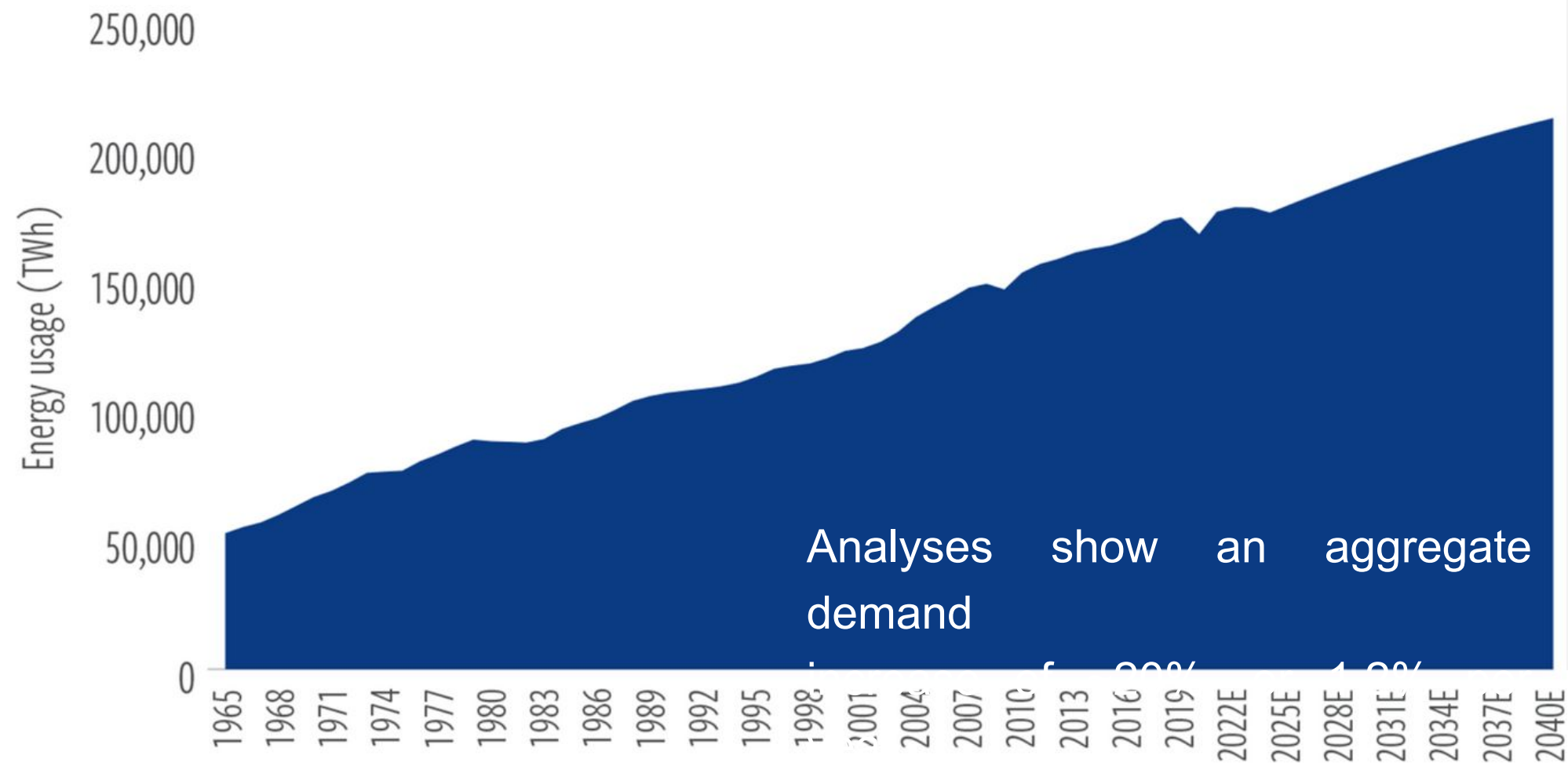


At least half of these amounts need to be funneled into renewable electricity sources and energy efficiency efforts.

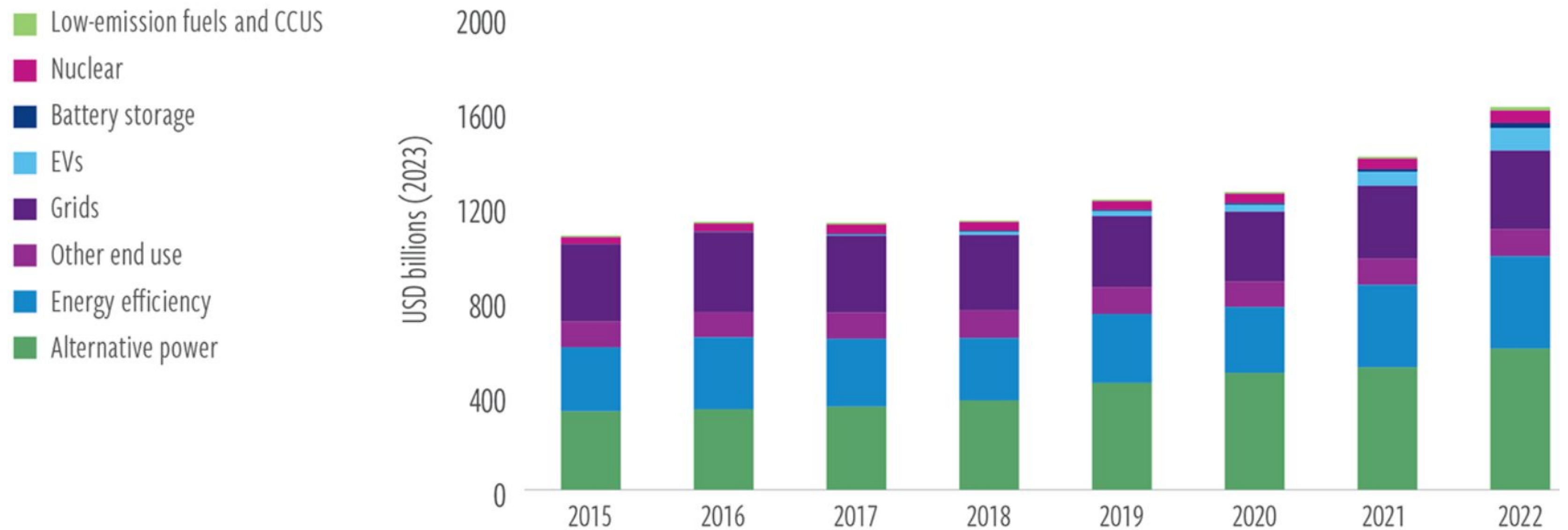


The absolute demand for energy will continue to rise

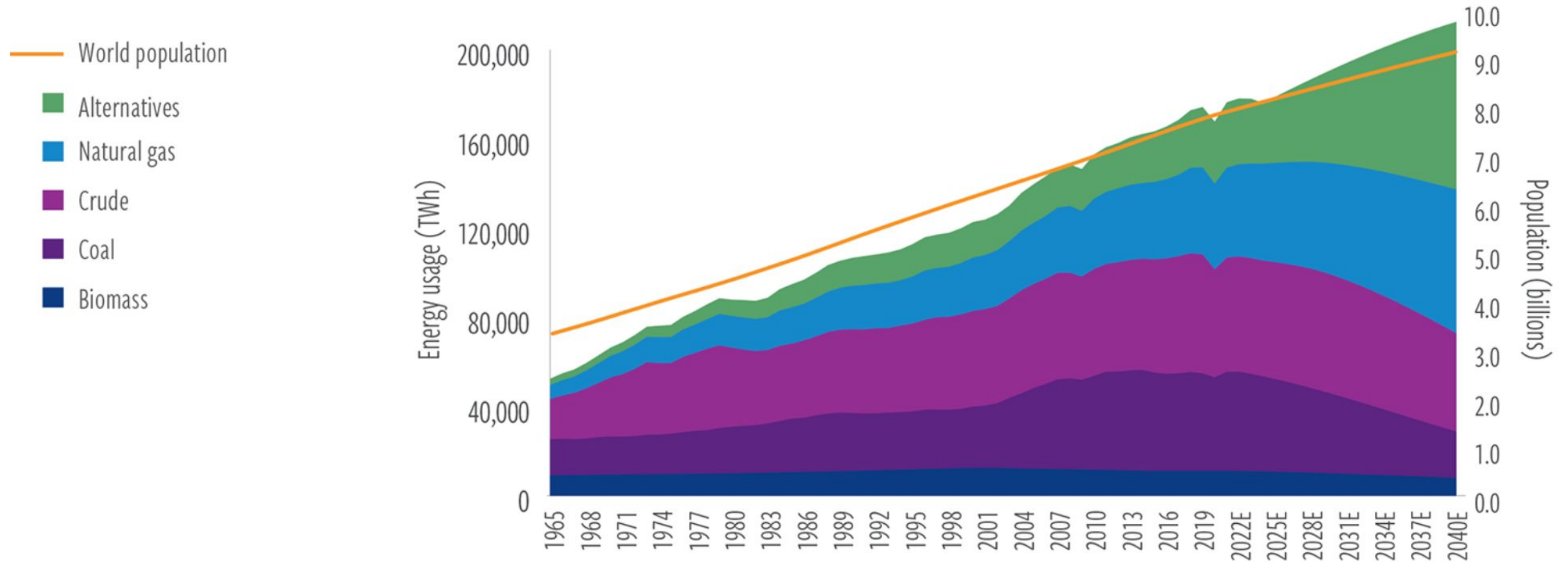
... and comes primarily from the global north



- Between 2015-2023, the global economy invested \$1.3 trillion per year in alternative energy to produce approximately 1,000 TWh per year.
- This needs to accelerate to approximately 2,600 TWh per year moving forward if we are to meet expected demand.



- Despite the emergence of alternative resources, the demand for traditional energy will also increase meaningfully in the coming years to satisfy the growth in energy consumption



At December 31, 2023. Source: Bloomberg, Energy Institute Statistical Review of World Energy (2023); Vaclav Smil (2017), Our World in Data, Cohen & Steers

“Energy Transition”

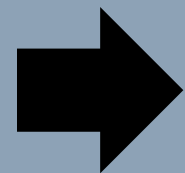
The use of the term “Energy Transition” gives the impression that there exists a quick, easy and scalable alternative to eliminate fossil fuel use without serious impact on people.



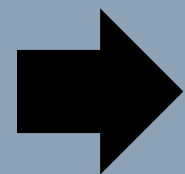
- Evidence suggests that green energy sources are not replacing fossil fuels but are rather **expanding the overall amount** of energy that is produced - at least in the medium term.
- It is misleading to characterize this growth in renewable energy as a “transition”.
- Doing so could **inhibit the implementation of meaningful** policies

Hidden costs and blind spots

Despite the crucial need for investments in cleaner energy generation, the energy transition will incur significant, yet under-recognised costs due to its land-intensive nature.

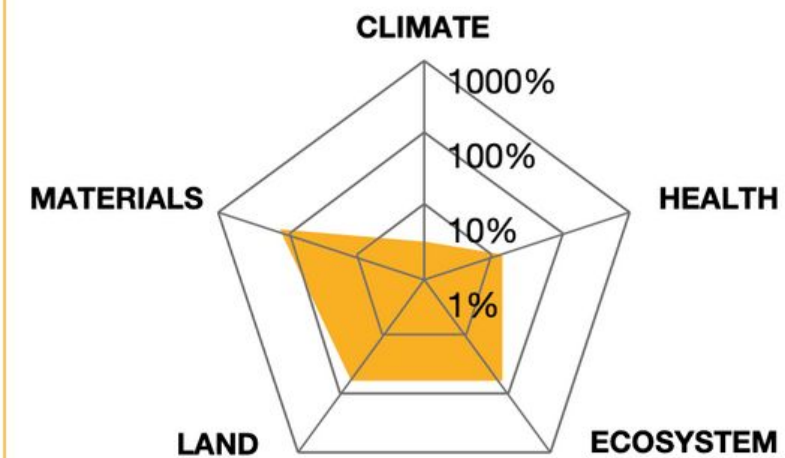


Green energy production is estimated to be ten times more land-intensive than its fossil fuel equivalent.

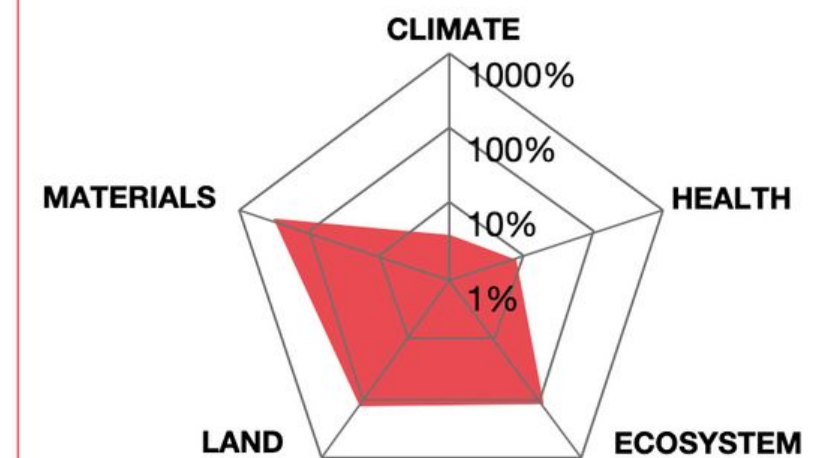


It is also highly mineral-intensive, driving a growing demand for energy transition minerals such as lithium, cobalt, nickel, copper and others, with many of these commodities subsequently hitting record high prices in the early 2020s.

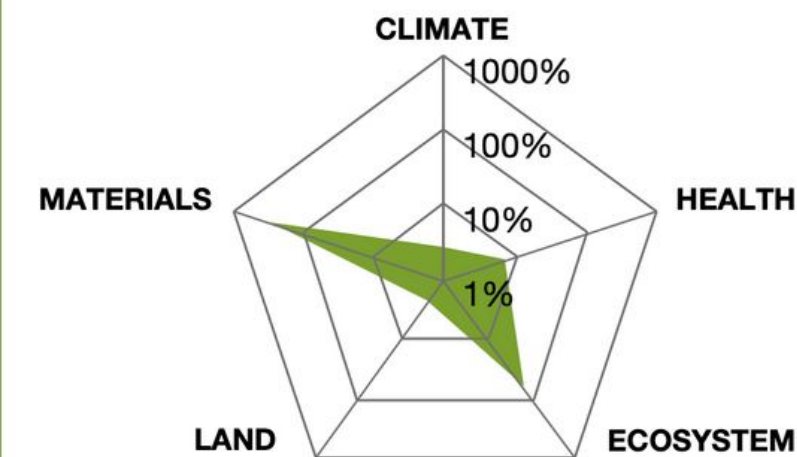
Photovoltaic power



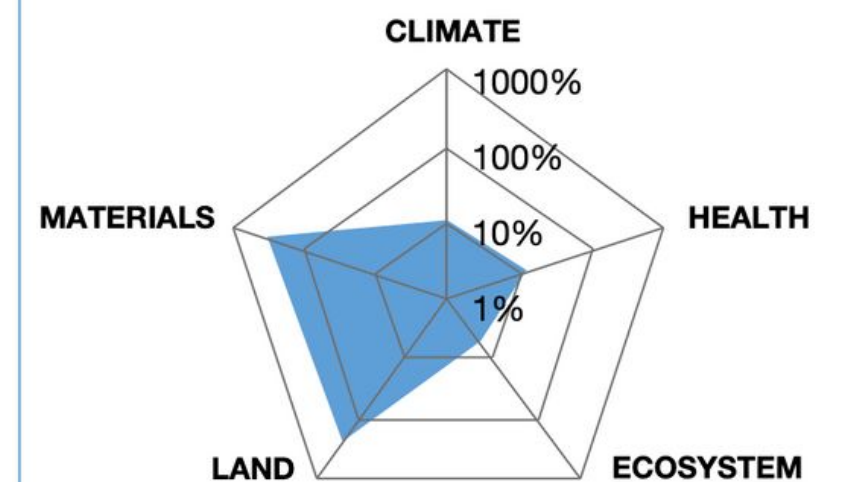
Concentrated Solar Power



Wind power



Hydropower



UNEP (2016) Green Energy Choices: The benefits, risks and trade-offs of low-carbon technologies for electricity production. Report of the International Resource Panel

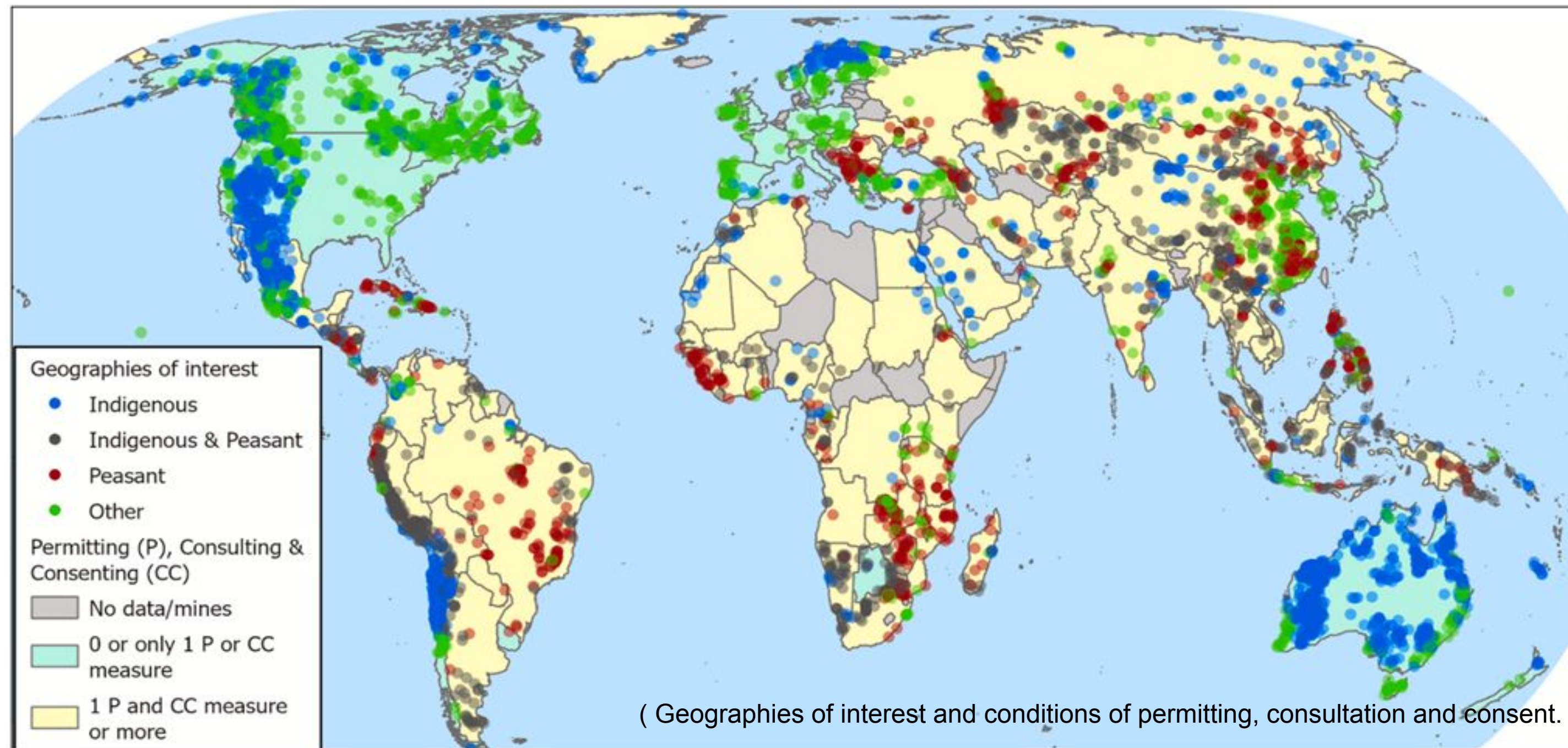
Hidden costs and blind spots

The main blind spot in current knowledge is the geographical dimension of this production and raises issues of environmental and spatial justice

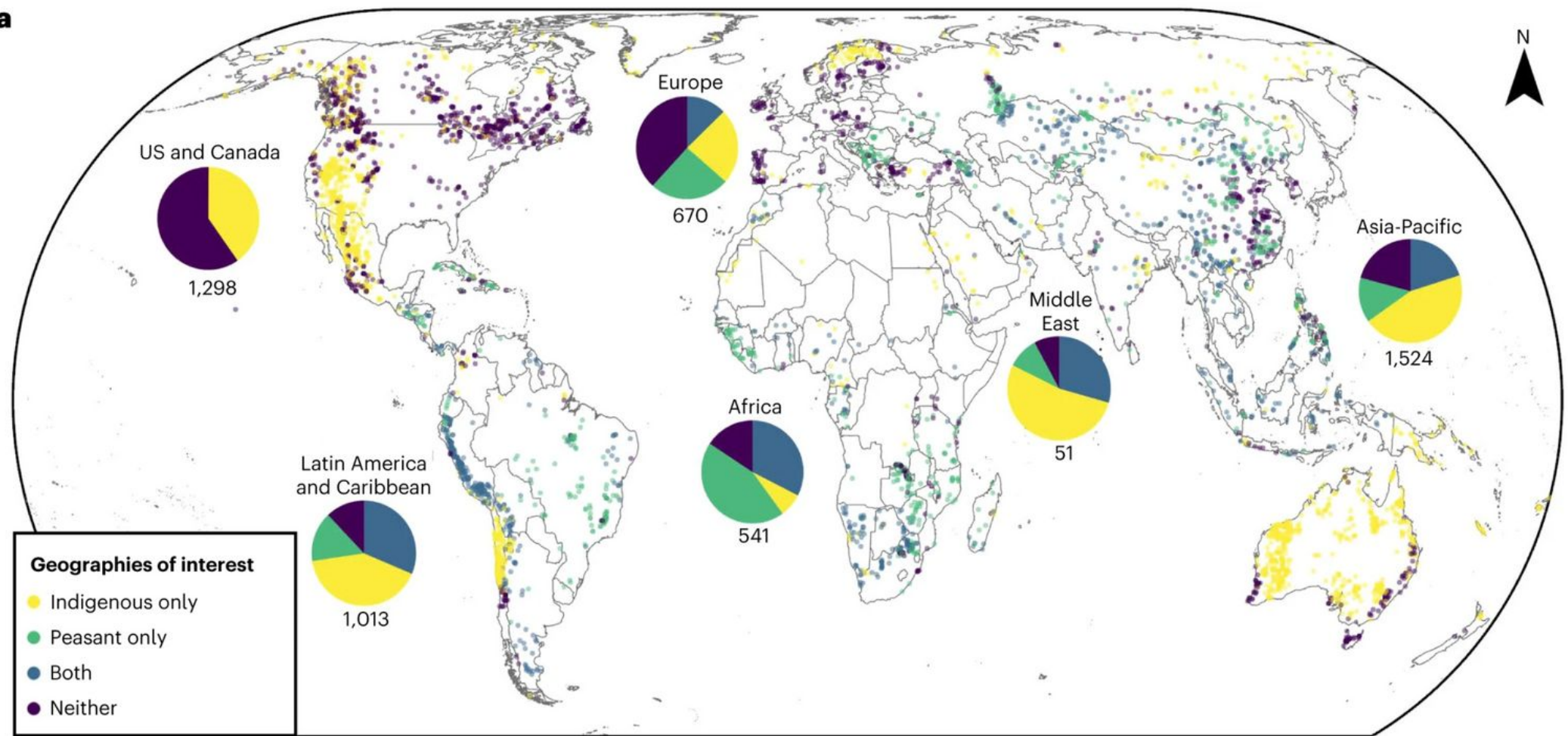


Looking at the footprint

- More than half of of transition minerals' global deposits to nearly 70 percent is estimated to be located on or near Indigenous Peoples' territories.
- Inevitably, IPs are thus poised to experience the most significant impact from the escalating demand, this will lead to an increase of land conflicts
- The lack of recognized land rights exacerbates this impact.

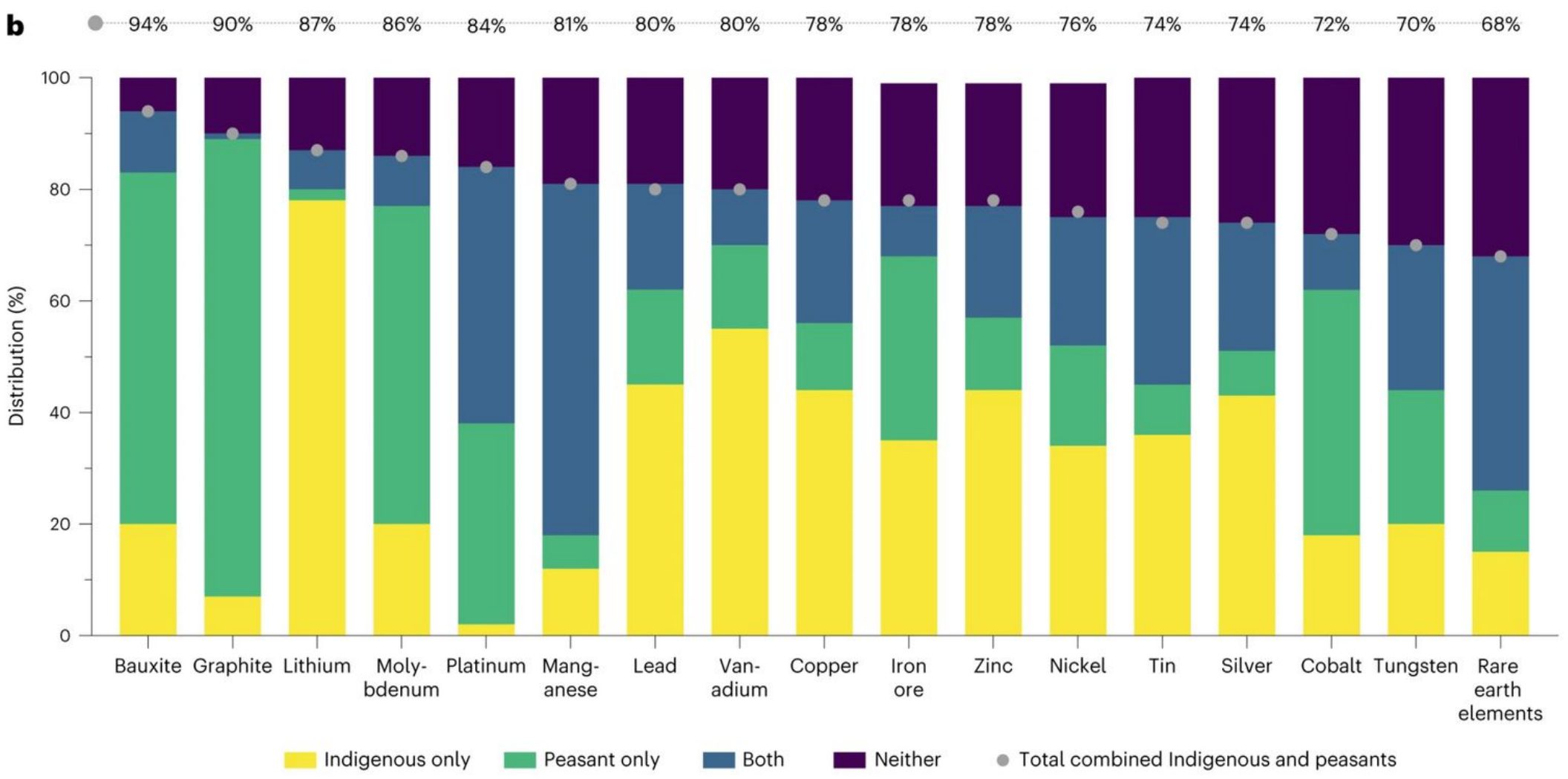


(Geographies of interest and conditions of permitting, consultation and consent. Owens et al. 2022)

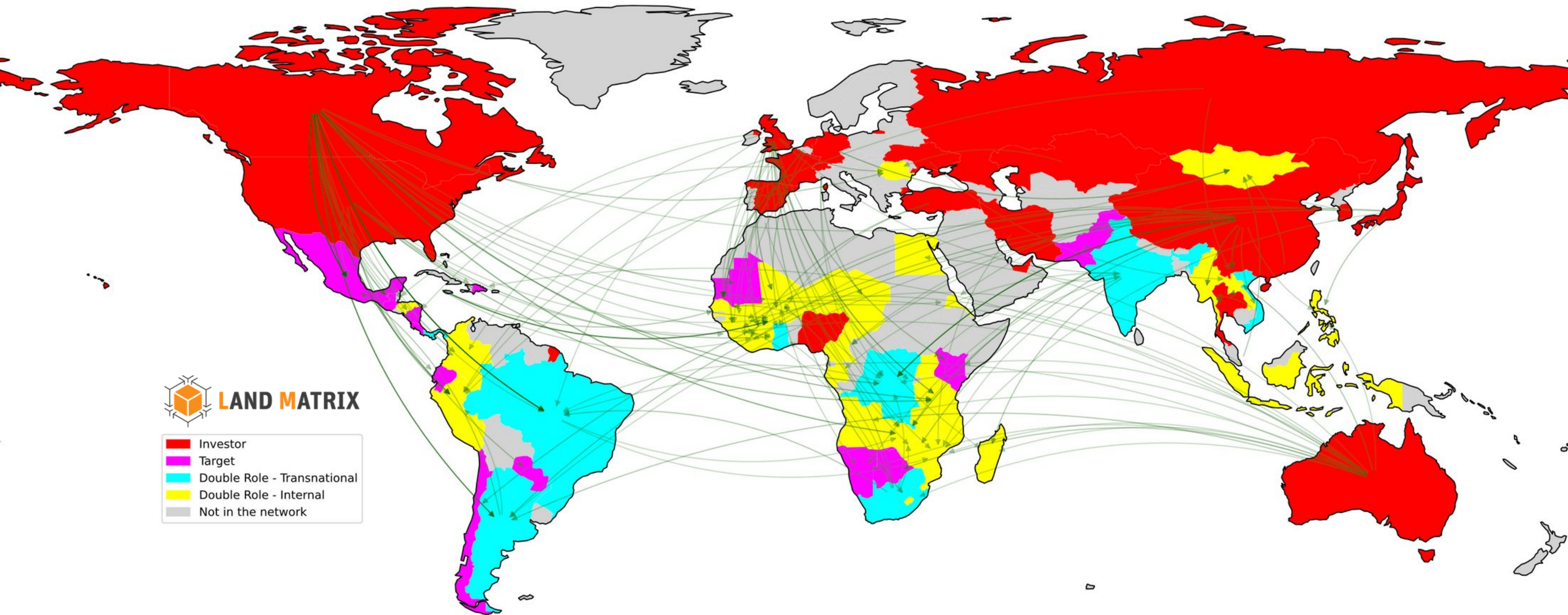


Looking at the footprint

- Regional hotspots of energy transition materials in IPs territory's in Latin America and Asia Pacific, with significant deposits of lithium and nickel.



- Africa has the highest number of projects located in peasant land or land that is characterised as that of both Indigenous Peoples and local communities with significant global reserves in cobalt, platinum and iridium.



Mining deals in the global South are main causes of socio-environmental conflicts between private sector / government and local populations and often associated with the violation of land rights with limited participation and consultation processes (Land matrix, EJ Atlas)

Where to from here

Adopting a human rights-based approach to clean energy development is key and involves respecting the rights of Indigenous Peoples and local communities, ensuring meaningful engagement in the form of FPIC, providing fair compensation for any adverse impacts, and establishing transparent mechanisms for resolving conflicts. Ensuring accountability across scales is important, from different layers of responsibility in local/national institutions to operating companies and their shareholders.

